

UNITED STATES DISTRICT COURT
for the
EASTERN DISTRICT OF NORTH CAROLINA

Motion for Revocation on Offender Under Supervised Release

Name of Offender:	Gary Edward Nixon	Case Number:	7:04-CR-85-1F
Name of Sentencing Judge:	Honorable James C. Fox		
Date of Original Sentence:	March 28, 2005		
Original Offense:	Conspiracy to Distribute and to Possess With Intent to Distribute More Than 5 Grams of Cocaine Base (Crack), in violation of 21 U.S.C. §§ 846 and 841(a)(1)		
Original Sentence:	158 months imprisonment; 60 months supervised release		
Type of Supervision:	Supervised Release	Supervision Started:	06/17/2016
Defense Attorney:	Sue G. Berry		

PETITIONING THE COURT

Violation 1 - Criminal conduct.

Between December 2017, to April 24, 2018, Nixon committed the offense of, and was subsequently charged with, Conspiracy to Possess With the Intent to Distribute 100 Grams or More of Heroin [7:18-CR-00104-4FL] in United States District Court for the Eastern District of North Carolina. This matter remains pending.

On April 24, 2018, Nixon committed the offense of, and was charged with, Possession With the Intent to Distribute a Quantity of Heroin [7:18-CR-00104-4FL] in United States District Court for the Eastern District of North Carolina. This matter remains pending.

Violation 2 - Using a controlled substance.

Nixon tested positive for cocaine on a urinalysis test conducted on April 9, 2018.

In view thereof, we respectfully petition the court to schedule a hearing, issue a notice to the defendant, and recommend that the term of supervision be revoked. It is recommended that this petition and order be placed under seal until execution of the warrant. The purpose of sealing this document is to facilitate officer safety and to disallow the defendant's knowledge of issuance of the warrant.

This the 22nd day of June, 2018.

Reviewed and approved,

I declare under penalty of perjury that the foregoing is true and correct.

/s/ Robert L. Thornton
Robert L. Thornton
Supervising U.S. Probation Officer

/s/ Erik J. Graf
Erik J. Graf
U.S. Probation Officer
2 Princess Street, Suite 308
Wilmington, NC 28401-3958
Phone: 910-679-2031
Executed On: June 22, 2018